

REMARKS

This Amendment is filed in response to the Office Action mailed on June 14, 2004. All objections and rejections are respectfully traversed.

Claims 1-27 are in the case.

At Paragraph 2 of the Office Action Claims 1-9 and 11-27 were rejected under 35 U.S.C. 102 (e) as being anticipated by U. S. Patent No. 6,188,694 issued to Fine, et al. on February 13, 2001 (hereinafter Fine).

The present invention, as set forth in representative claim 1, comprises in part:

1. (Currently Amended) A method of creating multiple spanning trees within a computer network, each spanning tree defining a loop-free path among a plurality of intermediate devices within the network, the network configured with a plurality of virtual local area network (VLAN) designations, the method comprising the steps of:

receiving a plurality of multiple instance spanning tree protocol bridge protocol data unit (MI-STP BPDU) messages at one or more of the intermediate devices from remaining ones of the intermediate devices, each MI-STP BPDU containing a spanning tree instance identifier;

processing the received MI-STP BPDU messages at the one or more intermediate devices so as to define a loop-free path for each spanning tree instance identifier;

mapping, in response to defining a loop-free path for each spanning tree instance identifier, each VLAN designation of the computer network to a spanning tree instance identifier; and

distributing messages tagged with a given VLAN designation across the loop-free path for the spanning tree instance identifier to which the given VLAN designation is mapped.

Fine discloses a method for establishing more than one spanning tree in a computer network. As Fine states in his ABSTRACT:

“A shared spanning tree protocol (SSTP) creates a plurality of spanning trees (i.e. loop-free paths) which are shared among one or more virtual local area network (VLAN) designations for data transmission within a computer network. Each shared spanning tree includes and is defined by a primary VLAN and may be associated with one or more secondary VLANs.”

That is, Fine sets up his spanning trees as “defined by a primary VLAN”. A spanning tree defined by a primary VLAN is described in the present specification in the BACKGROUND section at page 8 line 13 - page 9 line 4.

Applicant respectfully urges that Fine has no disclosure of the presently claimed *mapping, in response to defining a loop-free path for each spanning tree instance identifier*.

tifier, each VLAN designation of the computer network to a spanning tree instance identifier .

More particularly, Fine defines his loop free path by starting with a VLAN, where in sharp contrast applicant first defines a loop free path and then, *mapping, in response to defining a loop-free path for each spanning tree instance identifier, each VLAN designation of the computer network to a spanning tree instance identifier* . That is, Applicant first defines the loop-free path, and then in *response to defining a loop-free path . . . mapping each VLAN . . . to a spanning tree.*

Accordingly, Applicant respectfully urges that Fine is legally precluded from anticipating the presently claimed invention because of the absence from Fine of Applicant's claimed novel, *mapping, in response to defining a loop-free path for each spanning tree instance identifier, each VLAN designation of the computer network to a spanning tree instance identifier* .

At Paragraph 4 of the Office Action claims 1, 2, 3, 9, 22, 23, 24, 26, and 27 were rejected under 35 U.S.C. 102(a) as being anticipated by "Draft Supplement to Virtual Bridged Local Area Networks: Multiple Spanning Trees" to Chambers, et. al. (IEEE P802.1s/D6) (hereinafter Draft IEEE P802.1s/D6).

Draft IEEE P802.1s/D6 discloses interconnections between single spanning tree regions in a computer network with multiple spanning tree regions of the computer network. The multiple spanning tree regions of Draft IEEE P802.1s/D6 use a BPDU format shown in Figure 14-1 of Draft IEEE P802.1s/D6. Fig. 14-1 of Draft IEEE P802.1s/D6 has fields which are substantially identical with Applicants Prior Art shown in Fig. 1 of the present Application. The relevant fields shown in both fig 14 1 of Draft IEEE P802.1s/D6 and Applicant's Fig. 1 are:

Draft IEEE P802.1s/D6	Applicant's prior art
Flags (5)	TCA Flag 114, TC Flag 116
Root Identifier (6 . . . 13)	Root ID 118
Root Path Cost (14 ... 17)	Root Path Cost 120
Bridge Identifier (18 ... 25)	Bridge ID 122
Port Identifier (26-27)	Port ID 124
Message Age (28-29)	MSG Age 126
Max Age (30-31)	Max Age 128
Hello Time (32-33)	Hello Time 130
Forward Delay (34-36)	FWD Delay 132

Applicant respectfully urges that Draft IEEE P802.1s/D6 simply discloses a method for interconnecting single spanning tree regions with multiple spanning tree regions of a computer network. The multiple spanning tree regions disclosed by Draft IEEE P802.1s/D6 are simply the networks as disclosed in Fine. No disclosure of multiple spanning tree networks beyond the disclosures of Fine are given by Draft IEEE P802.1s/D6.

Applicant further urges that Draft IEEE P802.1s/D6 has no disclosure of Applicant's claimed novel claimed *mapping, in response to defining a loop-free path for each spanning tree instance identifier, each VLAN designation of the computer network to a spanning tree instance identifier*. Only multiple spanning tree networks as disclosed by Fine are set out in Draft IEEE P802.1s/D6.

Accordingly, Applicant respectfully urges that Draft IEEE P802.1s/D6 is legally precluded from anticipating Applicant's claimed novel invention because of the absence from Draft IEEE P802.1s/D6 of Applicant's claimed *mapping, in response to defining a loop-free path for each spanning tree instance identifier, each VLAN designation of the computer network to a spanning tree instance identifier*.

At Paragraphs 5-6 of the Office Action Claims 4-5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Draft IEEE P802.1s/D6 in view of “VLAN Trunk Protocol” to Cisco.

Applicant respectfully notes that Claims 4-5 are dependent from an independent claim, and the independent claims is believed to be in condition for allowance. Accordingly, Claims 4-5 are believed to be in condition for allowance.

At Paragraph 7 Claims 6-8, 11-14, 19-21 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Draft IEEE P802.1s/D6 in view of “ISO/IEC 15802-3: 1998 ANSI/IEEE Std 802.1d, 1998 Edition

Applicant respectfully notes that 6-8, 11-14, 19-21 and 25 are dependent from independent claims, and the independent claims are believed to be in condition for allowance. Accordingly, Claims 6-8, 11-14, 19-21 and 25 are believed to be in condition for allowance.

All independent claims are believed to be in condition for allowance.

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All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

All independent claims are believed to be in condition for allowance.

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Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,


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